

FILED
U.S. DISTRICT COURT

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DISTRICT OF UTAH

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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,	:	INDICTMENT
Plaintiff,	:	VIO. 49 U.S.C. § 46505(b)(3)
vs.	:	(Attempted Placement of
	:	Explosive on Aircraft)
JOSEPH PETER MOESSER,	:	18 U.S.C. § 844(g)(1)
Defendant.	:	(Possession of Explosive at
	:	Airport)
	:	49 U.S.C. § 46312
	:	(Unlawful Transportation of
	:	Hazardous Material in Air
	:	Commerce)
	:	18 U.S.C. § 1001 (False
	:	Statement)

The Grand Jury charges:

Case: 2:09-cr-00842
Assigned To : Stewart, Ted
Assign. Date : 11/04/2009
Description: USA v (Indictment)

COUNT 1

On or about October 1, 2009, in the Central Division of the District of Utah,

JOSEPH PETER MOESSER,

the Defendant herein, knowingly attempted to place, and attempted to have placed, an explosive, to wit, inorganic nitrate-based explosive smokeless powder for small arms (commonly referred to as black powder) on an aircraft in and intended for operation in air transportation, to wit, Delta Airlines Flight Number 1512, service from Salt Lake City, Utah to Atlanta, Georgia, and Delta Airlines Flight Number 0200, service from Atlanta, Georgia, to Johannesburg, South Africa, all in violation of and punishable under 49 U.S.C. § 46505(b)(3).

COUNT 2

On or about October 1, 2009, in the Central Division of the District of Utah,

JOSEPH PETER MOESSER,

the Defendant herein, knowingly possessed an explosive within the meaning of 18 U.S.C. § 844(j), to wit, inorganic nitrate-based explosive smokeless powder for small arms (commonly referred to as black powder), in Salt Lake International Airport, an airport that is subject to the regulatory authority of the Federal

Aviation Administration, all in violation of and punishable under 18 U.S.C. § 844(g)(1).

COUNT 3

On or about October 1, 2009, in the Central Division of the District of Utah,

JOSEPH PETER MOESSER,

the Defendant herein, in violation of a regulation or requirement related to the transportation of hazardous material prescribed by the Secretary of Transportation under 49 C.F.R. §§ 171.2(e), 173.27(b)(1), and 175.3, did willfully deliver, and cause to be delivered, property containing hazardous material, to wit, inorganic nitrate-based explosive smokeless powder for small arms (commonly referred to as black powder), to an air carrier for transportation in air commerce, all in violation of and punishable under 49 U.S.C. § 46312.

COUNT 4

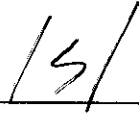
On or about October 1, 2009, in the Central Division of the District of Utah,

JOSEPH PETER MOESSER,

the Defendant herein, in a matter within the jurisdiction of the executive branch of the United States government, to wit, the Federal Bureau of Investigation (FBI),

United States Department of Justice, the Transportation Security Administration (TSA), United States Department of Transportation, and the Federal Aviation Administration (FAA), United States Department of Transportation, did knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation, in that he, in an interview with Special Agents of the FBI and FAA, did state that he did not have undeclared black powder or other prohibited hazardous materials concealed in his baggage intended for airline transport as checked baggage, which statement was false as he well knew; all in violation of Title 18 U.S.C. §1001(a)(2) and punishable thereunder.

A TRUE BILL:



FOREPERSON OF THE GRAND JURY

BRETT L. TOLMAN
United States Attorney



MICHAEL P. KENNEDY
Assistant United States Attorney